

The Little Traverse Bay Bands of Odawa Indians
Tribal Council
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
September 9, 2001
9:30 a.m.

Executive Session: yes-2

Called to Order: Meeting was called to order at 9:35 a.m.

Chairman Chingwa appoints Councilor Harrington Secretarial duties in the excused absence of the Tribal Secretary, Sue Wysocki.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Treasurer Alice Yellowbank, Councilor Janet Shomin, Councilor Rita Shanauquet, Councilor Fred Harrington

Council Absent: Councilor Sue Wysocki for morning session, excused.

Staff Present: See Attached list

Guests: See attached list

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to approve the agenda of September 9, 2001 as amended.

Vote: 5 Yes 1 No (**Shananaquet**) 0 Abstained 1 Absent (**Wysocki**)

Motion Carried

Motion made by **Councilor Anthony** and **Supported** **Yellowbank** by to approve the minutes of August 19, 2001 as corrected.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Wysocki**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to enter into the record the phone poll dated August 28, 2001 to hold a Strategic Plan Work Session on September 8, 2001, 9:00a.m. at the Holiday Inn, Petoskey, MI to include mileage, stipend and lodging for Tribal Council, the phone poll passed.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Wysocki**)

Motion Carried

Motion made by **Councilor Harrington** and **Supported** by **Councilor Yellowbank** to pay the Elders expenditures out of the Enterprise Fund, small grants line item.

Vote: 3 Yes 3 No (**Anthony, Shananaquet, Shomin**) 0 Abstained 1 Absent (**Wysocki**)

Motion Failed

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to accept the Tribal Administrator's verbal and written report.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Wysocki**)

Motion Carried

Recess called at: 10:55 a.m. Meeting reconvened at: 11:05 a.m.

LTBB Minutes of Tribal Council Mtg. 09/9/01

Motion made by **Councilor Shanaquet** and **Supported** by **Councilor Anthony** to pay the \$1,000 tribal membership dues for National Congress of American Indians 58th Annual Session to come from the Enterprise Fund, donation line item.

Vote: 6Yes 0 No 0Abstained 1 Absent (Wysocki)
Motion Carried

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Yellowbank** to support resolution #090901-01 Restoration of Tribal Sovereignty.

Roll call vote: **Yellowbank**-yes, **Shomin**-yes, **Wysocki**-Absent, **Harrington**-yes, **Chingwa**-yes, **Anthony**-yes, **Shananaquet**-yes

Vote: 6Yes 0No 0Abstained 1 Absent (Wysocki)
Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept the Tribal Chairman written and verbal report.

Vote: 6Yes 0No 0Abstained 1Absent (Wysocki)
Motion Carried

Public Comment at 11:52 a.m. No Public Comment.
Public Comment closed at 11:53 a.m.

Recess called at 12:30 p.m. Meeting reconvened at 2:00p.m.

Councilor Wysocki arrives and assumes her secretarial duties.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to accept burial request #A0023 for the amount requested.

Vote: 7Yes 0No 0 Abstained 0Absent
Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Shananaquet** to accept burial request #A0024 in the amount requested.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to approve the Education Department policies presented on August 19, 2001 to Tribal Council with corrections on final appeal process to Tribal Administrator.

Vote: 5Yes 1 No (Yellowbank) 1Abstained (Harrington) 0Absent
Motion Carried

Recess called at: 3:27 p.m. Meeting reconvened at 3:37 p.m.

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to go into executive session at 3:37 p.m.

Vote: 5 Yes 2 No (Harrington, Wysocki) 0 Abstained 0 Absent
Motion Carried

LTBB Minutes of Tribal Council Mtg. 09/9/01

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shananaquet** to return to open session at 4:47 p.m.

Vote: 7Yes 0No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Yellowbank** to authorize the Tribal Chairman to negotiate a loan for construction of the Administration Building from National City for up to \$4,000,000.00.

Vote: 4Yes 3No(Harrington, Anthony, Shananaquet) 0Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** that the contract for construction be awarded to Graham Construction for the amount of \$3,880,668.00.

Vote: 3Yes 4No (Yellowbank, Harrington, Anthony, Shananaquet) 0Abstained 0Absent

Motion Failed

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Wysocki** that the contract for construction be awarded to Graham Construction in the amount of \$3,880,668.00 to include the letter dated September 7, 2001 to follow tribal preference and adhere to Federal wage laws.

Vote: 5Yes 2No (Harrington, Anthony) 0 Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to approve resolution 090901-02 "Support and Authorization of Grant Application to USDA Rural Development for Water, Sanitary and Telecommunications Systems" with authorization for Chairman or Vice Chairman's signature or in their absence the Tribal Administrator's signature.

Roll Call Vote: Yellowbank-Yes, Harrington- No, Anthony-Yes, Chingwa-Yes, Wysocki-Yes, Shomin-Yes, Shananaquet-No

Vote: 5Yes 2No (Harrington, Shananaquet) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to enact the (Tribal Preference in Construction Projects Policy).

Vote: 4Yes 3No (Anthony, Harrington, Yellowbank) 0Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to postpone Tribal Council Stipends and mileage FY 2002 until the policy is drafted.

Vote: 7Yes 0No 0Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to approve list A-Eligible for Membership.

Vote: 5Yes 2No (Chingwa, Shananaquet) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept list B –Ineligible (not traceable) for Membership.

Vote: 5Yes 2No (Chingwa, Shananaquet) 0Abstained 0Absent

Motion Carried

LTBB Minutes of Tribal Council Mtg. 09/9/01

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to accept list C –Relinquishment.

Vote: 5Yes 2No (Chingwa, Shananaquet) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept list D-Technical Error List Amended Enrollment Date.

Vote: 5Yes 2No (Chingwa, Shananaquet) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to **not** accept list E-Dis-enrollment.

Vote: 5Yes 2No (Chingwa, Yellowbank) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to approve resolution #090901-03 Fingerprint Authorization.

Roll Call Vote: **Anthony**-No, **Shananaquet**- Yes, **Yellowbank**- No, **Shomin**- Yes, **Wysocki**- Abstained, **Harrington**- Yes, **Chingwa**- No

Vote: 3Yes 3No (Anthony, Yellowbank, Chingwa) 1Abstained (Wysocki) 0Absent

Motion Failed

Public Comment called at 6:55 p.m. **No Public Comment.** **Public comment closed at: 6:56 p.m.**

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to approve two work sessions for the month of October to include stipend, mileage and lodging.

Vote: 7Yes 0No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to go into Executive Session for legal and personnel at 7:14 p.m.

Vote: 6Yes 1No (Harrington) 0 Abstained 0Absent

Motion Carried

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to return to open session at 7:55 p.m.

Vote: 7Yes 0No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Harrington** to accept the recommendations made by Jim Bransky in the letter dated August 15, 2001.

Vote: 4Yes 1No (Shomin) 0Abstained 2Absent (Yellowbank, Shananaquet)

Motion Carried

Motion made by **Councilor Harrington** and **Supported** by **Councilor Anthony** to sign the contract supporting the letter by Jim Bransky dated August 15, 2001.

Vote: 4Yes 1No (Shomin) 0Abstained 2Absent (Yellowbank, Shananaquet)

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to support the policy decision by the Education Commission.

Vote: 7Yes 0No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shananaquet** to adjourn at, 7:58 p.m.

Vote: 7Yes 0No 0Abstained 0Absent

Motion Carried

**These Minutes have been read and approved as written:
Approved:**

Fred Harrington, Tribal Council Secretary

Date

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